



Western Australia

Agenda for the Ordinary Meeting of the Murchison Shire Council,
To be held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
On Thursday **26 April 2018**, commencing at 09:30 am.

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

4.1 Standing Orders

| | | |
|---|-----------------------------|-----------------|
| Council Decision: | | |
| Moved: Councillor | Seconded: Councillor | |
| That the following Local Law-Standing Orders 2001 be stood down: | | |
| 8.2 Limitation on the number of speeches | | |
| 8.3 Duration of speeches | | |
| Carried | For: | Against: |

5. NEXT MEETING

24th May 2018

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Discuss two items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. RFQ 2.5 T Excavator and 2. Road Agreement – SKA Route

8. CONFIRMATION OF MINUTES

8.1 Ordinary Council Meeting – 22 March 2018

Background:

Minutes of the Ordinary Meeting of Council have previously been circulated to all Councillors.

Recommendation:

That the minutes of the Ordinary Council meeting held on 22nd March 2018 be confirmed as an accurate record of proceedings

Voting Requirements:

Simple majority

| | | |
|--|-----------------------------|-----------------|
| Council Decision: | | |
| Moved: Councillor | Seconded: Councillor | |
| That the Minutes of the Ordinary Council meeting of 22 nd March 2018 be confirmed as an accurate record of proceedings. | | |
| Carried/Lost | For: | Against: |

9. ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. ACTION LIST

| No | Item | Action | Status |
|----|-------------------------------|---|---|
| 1 | Community Project Officer | Still sitting on the table. Meeting held 11 th March 2016 and recommendations presented to Council at the April OCM – the item was left to lay on the table while Council explored other options. | Working Group have identified potential projects and some of the issues relating to the appointment of a Project Officer. |
| 2 | Cemetery and Remembrance Walk | Completion of the cemetery and names for the remembrance walk. Community to be contacted to suggest names for inclusion. Community Advisory Group to advise Council on these projects. Invitation sent to CAG to meet on Friday 3 June. A surveyor will be at the Murchison Settlement shortly to survey the tip, so will plan to have the Cemetery done as well. | Following the discussions at the Budget Workshop further work on this project is to be undertaken in 2018/19. |
| 3 | Review of Road Network | Council to conduct a whole of shire road review. Establish roads to be closed/position of roads etc. and work with Landgate and surrounding shires. The status (ie a road defined by description; a dedicated road; a gazetted road; a closed road) of roads no longer maintained needs to be identified before the Shire can progress with this. | Shire has supplied map of road location to Landgate. |

Recommendation:

That the Action List be accepted.

Voting Requirements:

Simple majority

| | | | |
|-----------------------------------|--|-----------------------------|-----------------|
| Council Decision: | | | |
| Moved: Councillor | | Seconded: Councillor | |
| That the Action List be accepted. | | | |
| Carried/Lost | | For: | Against: |

12. DISCLOSURE OF INTERESTS

13. REPORTS OF OFFICERS

13.1 Monthly Plant Report – Works Supervisor

| March 2018 | | | Hours | | | | | YTD | |
|-------------------------|------|--------|------------|---------|--------|--------|-----------------|-----------|-----------|
| * No Meter ** New Meter | | | Start | End | Total | | Operating Costs | | |
| Plant Item | Year | Rego | 1 July '17 | Hrs/kms | Hrs/km | Month | YTD | Plant | Fuel |
| P.01 JD Grader | 2011 | MU1063 | 9242 | 10163 | 10236 | 73 | 994 | 14,262.51 | 16,833.92 |
| P.02 Cat Grader 12H | 2005 | MU 141 | 15732 | 16021 | 16021 | Traded | 16021 | 6,047.65 | 5,530.80 |
| P15003 JD 6WD Grader | 2012 | MU121 | 1829 | 2759 | 2894 | 135 | 1065 | 8,229.30 | 23,290.89 |

| | | | | | | | | | |
|-----------------------------------|------|----------|--------|--------|--------|--------|-------|-----------|------------|
| P081 JD Grader | 2017 | MU105 | 0 | 608 | 802 | 194 | 194 | 5,406.98 | 14,714.56 |
| P.04 New/H Ford Tractor | 2006 | MU 380 | 2167 | 2399 | 2410 | 11 | 243 | 523.01 | 538.82 |
| P.05 Dolly 1-Red ** | 2001 | MU 2003 | 0 | 6865 | 8671 | 1806 | 8671 | 3,611.55 | n/a |
| P.07 Nissan UD | 2009 | 000 MU | 217729 | 222784 | 222784 | 0 | 5055 | 4,477.37 | 6,678.59 |
| P.08 Dolly 2-Black | 2000 | MU 2009 | 17885 | 23784 | 24689 | 905 | 6804 | 5,669.71 | n/a |
| P.09 Iveco P/Mover | 2003 | MU1065 | 333380 | 341788 | 344086 | 2298 | 10706 | 7,235.37 | 10,632.21 |
| P.10 Iveco W/Truck (hrs) * | 2004 | MU 00 | 11403 | 11927 | 11927 | 0 | 524 | 2,628.48 | 6,127.50 |
| P.11 Komatsu Dozer | 1997 | | 2300 | 3109 | 3203 | 94 | 903 | 14,045.26 | 18,896.47 |
| P.13 Tri-Axle L/L Float | 2008 | MU 663 | 28490 | 32457 | 32457 | 0 | 3967 | 5,799.41 | n/a |
| P.14 No. 2 Float | 2001 | MU 2004 | 10505 | 11427 | 11427 | 0 | 922 | 765.17 | n/a |
| P.17 Side Tipper | 2001 | MU 662 | 25124 | 33022 | 34821 | 1799 | 9697 | 4,727.07 | n/a |
| P.18 Side Tipper | 2001 | MU2010 | 10314 | 18870 | 20654 | 1784 | 10340 | 6,687.78 | n/a |
| P.24 30K W/Tanker Trailer | 2005 | MU 2024 | 7658 | 18855 | 21145 | 2290 | 23435 | 8,039.12 | n/a |
| P.27 Volvo Loader | 2006 | MU 65 | 8787 | 9388 | 9507 | 119 | 9626 | 3,141.35 | 11,061.51 |
| P.28 Isuzu Dmax | 2009 | MU 300 | 225000 | 232464 | 234890 | 2426 | 9890 | 1,134.11 | 1,406.65 |
| P.32 Construction Gen | | | 25281 | 27369 | 27945 | 576 | 2664 | 352.97 | 2,391.17 |
| P.33 Maintenance Gen | | | 11798 | 13482 | 14166 | 684 | 2368 | 677.27 | 3,679.10 |
| P.34 Generator Perkins * | | Mechanic | 1744 | 4545 | 4545 | 0 | 2801 | 972.24 | 1,729.43 |
| P.35 Generator 1-110kva | 2011 | | 26523 | 27334 | 27377 | 43 | 854 | 6,424.13 | 101,496.70 |
| P. 17035 New Generator | 2016 | | 2446 | 7542 | 8291 | 749 | 5845 | | |
| P.37 Forklift | | | 12634 | 12715 | 12719 | 4 | 85 | 2,700.87 | 399.60 |
| P.40A Toyota Hilux | 2014 | 01MU | 104000 | 117927 | 117927 | Traded | 13927 | 1,433.33 | 2,743.79 |
| P.41 Cat 938G Loader | 2004 | MU 193 | 5850 | 6139 | 6139 | 0 | 289 | 1,619.23 | 4,997.45 |
| P.43 Bomag Roller | 2012 | MU1027 | 3537 | 3727 | 3755 | 28 | 218 | 4,996.61 | 3,345.32 |
| P.48 Dog Fuel Trailer * | 1979 | MU 2026 | 0 | 0 | 0 | 0 | 0 | 93.46 | n/a |
| P.49 Dog Fuel Trailer * | 1972 | MU 2005 | 0 | 0 | 0 | 0 | 0 | 239.56 | n/a |
| P.54 Isuzu T/Top | 2005 | MU 1002 | 181148 | 182491 | 182491 | Traded | 1343 | 499.24 | 467.85 |
| P.55 Toyota Prado | 2012 | MU1011 | 100507 | 125601 | 125650 | 49 | 25143 | 767.29 | 3,767.32 |
| P.57 Great Wall | 2012 | MU 167 | 63922 | 73092 | 73960 | 868 | 10038 | 4,015.98 | 1,541.82 |
| P.59 45ft Flat Top * | 1978 | MU2044 | 0 | 0 | 0 | 0 | 0 | 2,068.20 | n/a |
| P.60 Mercedes PTV | 2004 | MU 1009 | 103624 | 104174 | 104434 | 260 | 810 | 2,706.84 | 104.36 |
| P.61 Kenworth P/Mover | 2004 | MU 000 | 104665 | 114829 | 117155 | 2326 | 12490 | 9,362.46 | 16,812.67 |
| P.64 Isuzu Construction | 2013 | MU 140 | 136312 | 155181 | 155491 | 310 | 19179 | 5,479.38 | 6,912.12 |
| P.65 Generator 9KVA * | 2013 | H/ Maint | 6391 | 9036 | 9038 | 2 | 2647 | 1,999.17 | 7,896.21 |
| P.67 Roadwest S/Tipper | 2013 | MU2042 | 83079 | 93528 | 94644 | 1116 | 11565 | 2,564.37 | n/a |
| P.68 Bomag Padfoot | 2013 | MU1071 | 2055 | 2433 | 2495 | 62 | 440 | 3,466.21 | 7,232.82 |
| P.72 Isuzu Fire Truck | 2013 | MU1068 | 2149 | 2381 | 3013 | 632 | 864 | 3,790.68 | 14.26 |
| P.73 Toyota Fast Attack | 2014 | MU1069 | 8900 | 8900 | 8900 | 0 | 0 | 1,256.39 | n/a |
| P.80 Fuso Canter | 2017 | MU120 | 0 | 5610 | 8589 | 2979 | 8589 | 4,553.73 | 1,727.15 |

| | | | | | | | | | |
|-------------------------|------|--------|-------|-------|-------|------|-------|----------|----------|
| P.82 Isuzu/Dmax W/S Ute | 2017 | 01 MU | 0 | 14003 | 20767 | 6764 | 20767 | 6,793.43 | 3,000.66 |
| Caravans | | | | n/a | n/a | n/a | n/a | 5,052.00 | n/a |
| P11076 JD Ride on mower | | | 937 | 1062 | 1062 | 0 | 125 | 281.46 | n/a |
| P15006 Isuzu Maint | 2015 | MU1018 | 48269 | 66752 | 73146 | 6394 | 24877 | 4,514.23 | 6,795.30 |
| P16063 Toyota Prado | 2016 | MU 0 | 29327 | 51347 | 54803 | 3456 | 25476 | 7,474.88 | 3,611.55 |
| P16075 Kuboto Mower | 2016 | | 175 | 316 | 337 | 21 | 162 | 506.20 | 1,853.23 |

13.2 Works Report – Works Supervisor

Construction Crew

The construction crew are progressing well with the works program on the Carnarvon-Mullewa road between SLK 51.290 - 47.485 (Byro area). They are reforming, gravel sheeting, filling in various old long drains and placing in new shorter drains as well as placing in 3 new bunds.

This was a very low section of road which had very little water control in place and the road was starting to wash away. The new bunds and drains will control the water flow and save the road by directing the water away.

At this stage crew are about 1/3 of the way through the above works.

Crew have also prepared 2 x floodway's within this section by boxing them out on the down side and replacing with cement stabilised gravel in readiness for new concrete cut-off walls.

While in the area crew have also knocked over a few small jobs:

- Cut down a steep hill on the Beringarra-Byro road at SLK 9.270 (Byro Woolshed).
- Placed in an extra 2.4m long x .600m culvert pipe onto the existing culvert which has now made this corner a lot safer for traffic.
- Prepared 3 more floodway's/creek crossings for new concrete cut-off walls.

On Monday 23rd of April two of the crew will start carting gravel, equipment and materials to various locations in the Shire for the grid contractor to replace old 12ft grids with new 24ft grids.

Maintenance Crew

Neil and Greg are moving along fine with the maintenance grading. Extra work was required in some sections due to the storm in January this Year.

Crew as of this week 20th April have completed a grade from Pindar to Murgoo-Cockney Bill area on the Beringarra-Pindar road.

At this stage crew will check the Mt Wittenoorn and Mt Wittenoorn-Wooleen roads as these roads have just had the Robbro flood damage crew doing repairs and a grade may not be required.

Crew will work their way up the Beringarra-Pindar road doing all side roads on their way through to Beringarra.

- Boolardy-Kalli Rd
- Nookawarra-Mileura Rd

As Neil had some appointments this week 16th- 19th (4 days), Barry the construction Leading Hand picked up his grader from Murgoo and finished patch grading the rest of the Carnarvon-Mullewa road from Curbur to the shire northern boundary. This road will now hold up until our maintenance crew are in the area. Neil's grader was dropped back off on Monday 23rd for Neil to continue with the maintenance grading of the Beringarra-Pindar Road.

Contractors

Squires Resources

The Heavy Maintenance program for 2018 has been completed thanks to Squires Resources. Well done Paul and crew.

On their way back to Twin Peaks the crew also gave the Boolardy-Wooleen road a grade over as this road was closed due to rains in January and mid March. They also completed a patch grade (just the bad gutters) on the Twin Peaks-Wooleen and Wooleen-Mt Wittenoom roads.

Plantation Logging

Due to the heavy rains in January this year and 90% of the roads under flood damage, we needed to get some of our major roads opened so Plantation Logging were hired to grade the Carnarvon-Mullewa road from the shire southern boundary (Rabbit Proof Fence) to the new section of bitumen approx. 9km south of the Bridge. Total distance 37.5km. Thank you Jeff for a job well done.

Flood Damage

Robbro Flood Damage repair crew as of the 19th April have completed the flood repairs in their section. (Eastern side of the shire).

Roads repaired:

- Beringarra-Pindar Road between SLK 74 - 213
- Mt Wittenoom Road SLK 0 - 32
- Mt Wittenoom-Wooleen Road SLK 6.8 - 33.5

Them Earthmoving Flood Damage repair crew at last report will complete their section by the 8th of May. (Currently working North of the Shire)

Roads repaired:

- Carnarvon-Mullewa Road Between SLK 43.4 - 227.9
- Butchers Track SLK 18.4 - 36.5
- Twin Peaks-Wooleen Road SLK 7.5 - 43.3
- Byro-Woodleigh Road SLK 0 - 76
- Beringarra-Byro Road SLK 0.8 - 69.2
- Erong Road SLK 1.8 - 24.8
- Byro Station Homestead Access Road SLK 0 - 1.5

Work Supervisor - General

19/03/2018 - Construction - 9hrs

22/03/2018 - Construction - 6hrs + over-night camp with crew

24/03/2018 - Beringarra-Byro Road for blasting of the Hill.

26/03/2018 - Construction - 9hrs (6hrs on grader)

29/03/2018 - Construction - 5hrs

03/04/2018 - Road inspections

- Erong
- Beringarra-Pindar from Beringarra - Cocky Bill intersection.
- Boolardy-Wooleen

06/04/2018 - Putting in off shoot drains with the grader on the airstrip.

10/04/2018 - Construction - 4hrs

16/04/2018 - Construction - 6hrs

ROADS GRADED MARCH – APRIL 2018

| Name | Length of Road | | SLK's Graded this month | Heavy Maintenance | Comments |
|---------------------|----------------|--|-------------------------|-------------------|-------------------|
| Beringarra-Pindar | 319.80km | | 70km | | |
| McNabbs -Twin Peaks | 49.75km | | 30km | | |
| Boolardy-Wooleen | 19.08km | | 15km | | Contractor |
| Carnarvon-Mullewa | 278.63km | | 20km | | Construction Crew |

Total roads graded this month 135km - Shire Crew 120km – Contractor 15km

Recommendation:

That the Work’s Supervisor’s report be accepted.

Voting Requirements:

Simple majority

| | | |
|--|-----------------------------|-----------------|
| Council Decision: | | |
| Moved: Councillor | Seconded: Councillor | |
| That the Work’s Supervisor’s report be accepted. | | |
| Carried/Lost | For: | Against: |

14. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

14.1 Shire President

14.2 Councillors

15. REPORTS OF COMMITTEES

15.1 Audit Committee 26 April 2018

Matter for Consideration:

Council is to consider the Advice from the Audit Committee held 26 April 2018.

Background:

The Audit Committee met on 26 April 2018 to consider the Audit Planning Memorandum for 30 June 2018

Comment:

The Audit Planning Memorandum has been considered by the Audit Committee.

Recommendation:

That Council endorse the Audit Committee’s recommendation that (TBA).

Voting Requirements:

Simple majority

| | | |
|--------------------------|-----------------------------|-----------------|
| Council Decision: | | |
| Moved: Councillor | Seconded: Councillor | |
| Carried/Lost | | |
| | For: | Against: |

15.2 LEMC Meeting 10 April 2018

Matter for Consideration:

Council to receive the unconfirmed minutes of the LEMC meeting held on the 10 April 2018.

Recommendation:

That Council Receive the unconfirmed minutes of the LEMC meeting of 10 April 2018

Voting Requirements:

Simple majority

| | | |
|--------------------------|-------------|-----------------------------|
| Council Decision: | | |
| Moved: Councillor | | Seconded: Councillor |
| Carried/Lost | For: | Against: |

16. FINANCE

16.1 Financial Activity Statements March 2018

| | |
|--------------------|--|
| File: | |
| Author: | Rose Jones – Deputy Chief Executive Officer |
| Interest Declared: | No interest to disclose |
| Date: | 20 April 2018 |
| Attachments: | Financial Activity Statements to 31 March 2018 Statement of Financial Position Operating Statement by Program Operating Statement by Nature & Type Accounts Activity General Ledger Trial Balance |

Matter for Consideration:

Council is to consider adopting the Monthly Financial Statements for March 2018.

Background:

The Local Government (Financial Management) Regulations 1996. Regulation 34 requires that local government report on a monthly basis and prescribes what is required to be reported.

Comment:

The Current Position at 31 March 2018 is a surplus of \$2,563,326

| | | |
|------|------------------------------------|------------|
| | Budgeted closing surplus YTD | 3,206,064 |
| Plus | Variance to Operating Surplus | 0 |
| Less | Operating revenue down | -502,223 |
| Plus | Operating Expenditure down | 245,805 |
| Less | Operating activity excluded | -56,129 |
| Plus | Investing activities down | 2,323,033 |
| Plus | New Debentures up | 1,064,199 |
| Less | Transfers from reserve down | -3,068,548 |
| Less | Repayment of Debentures | -1,165,650 |
| Plus | Transfers to reserves down | 516,775 |
| | Total Variances | -642,738 |
| | Actual Surplus as at 31 March 2018 | 2,563,326 |

Review of the YTD Budgets to Actuals was completed as at 28 February 2018.

The Budget Review for 2017-18, as endorsed by Council at its March meeting, has been found to contain some anomalies in the determination between cash and non-cash adjustments. The Statement of Financial Activity for March indicates that the revised result at 30th June 2018 is now a deficit of \$152,015.

The Department of Local Government, Sport and Cultural Industries is aware of the issue and a further review is being undertaken. The amended Budget Review will be presented to the Ordinary Meeting of Council in May 2018. In the meantime, cash flow indications are being closely monitored and no adverse trend is anticipated.

The following Term Deposits are currently held as at 31 March 2018:

| | | |
|--|-------------|-----------------------------|
| Beringarra Cue Road Reserve Term Deposit | \$3,793,713 | @ 1.94% Maturity 18/04/2018 |
| Crosslands MCF Term Deposit | \$ 376,037 | @ 2.23% Maturity 25/05/2018 |

Statutory Environment:

Local Government Act 1995

Section 6.4–Specifies that a local government is to prepare “such other financial reports” as is prescribed.

Local Government (Financial Management) Regulations 1996

Regulation 34 states:

(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:

- (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
- (b) Budget estimates to the end of month to which the statement relates;
- (c) Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) Material variances between the comparable amounts referred to in paragraphs (b) and (c);
- (e) The net current assets at the end of the month to which the statement relates.

Strategic Implications:

Nil.

Policy Implications:

Nil.

Budget/Financial Implications:

Reports showing year to date financial performance allow monitoring of actual expenditure, revenue and overall results against budget targets.

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations
- **Economic:**
There are no known significant economic considerations
- **Social:**
There are no known significant considerations

Consultation:

Moore Stephens

Recommendation:

That Council adopt the financial statements for the period ending 31 March 2018 as attached.

Voting Requirements:

Simple majority.

| | |
|--|---|
| <p>Council Decision: Moved: Councillor</p> | <p>Seconded:</p> |
| <p>Carried/Lost</p> | <p>For: Against:</p> |

16.2 Accounts Paid since the last list was endorsed by Council

| | |
|--------------------|---|
| File: | 4.37.1 |
| Author: | Rose Jones – Deputy Chief Executive Officer |
| Interest Declared: | No interest to disclose |
| Date: | 20 April 2018 |
| Attachments: | EFT & Cheque Details for March 2018 |

Matter for Consideration:

Endorsement of accounts paid during the month of March 2018.

Background:

If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, then the CEO is to prepare a list of accounts paid by the CEO during the month to present to Council.

Comment:

A list of payments made during the month of March 2018 is attached.

Statutory Environment:

Local Government (Financial Management) Regulations 1996

Regulation 13 states:

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the council to which the list is to be presented
- (3) A list prepared under sub regulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Strategic Implications:

None

Policy Implications:

None

Budget/Financial Implications:

Payment from the Municipal, Trust and Reserve Bank Accounts.

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations
- **Economic:**
There are no known significant economic considerations
- **Social:**
There are no known significant considerations

Consultation:

Moore Stephens

Recommendation:

That the accounts for the Month of March, as per the attached Schedule presented to this meeting totalling \$3,575,349.72 which includes \$160.00 of intra account transfers and two payments to WA Treasury in respect of the Short Term advance totalling \$1,173,295.84, be endorsed by Council.

Voting Requirements:

Simple majority

| | | |
|--------------------------|-----------------------------|-----------------|
| Council Decision: | | |
| Moved: Councillor | Seconded: Councillor | |
| Carried/Lost | For: | Against: |

16.3 Differential Rates 2018/19

| | |
|--------------------|--|
| File: | 4.29 |
| Author: | Rose Jones – Deputy Chief Executive Officer |
| Interest Declared: | No interest to disclose |
| Date: | 20 April 2018 |
| Attachments: | Department of Local Government and Communities – Rating Policy |

Matter for Consideration:

Council is to consider its rating strategy for the 2018-19 Financial Year and the supporting objects and reasons for differential rates.

Background:

The quantum of rates payable to a local government is determined by the method of valuation of the land, the valuation of the land and improvements and the rate in the dollar applied to the valuation by the local government.

Method of Valuation:

Land is rated according to:

- a) unimproved value for land use predominately for rural purposes; or
- b) gross rental value for land used predominately for non-rural purposes.

Valuation of Land and Improvements

The Valuer General values the land in accordance with the provisions of the Valuation of Land Act 1978. The local government sets a rate in the dollar which is applied to this valuation to give the rates liability for each property.

Rate in the Dollar:

- a) A local government may impose a single general rate which applies to all of the properties in the unimproved value or gross rental value category; or
- b) Alternatively the local government can distinguish between land in either category on the basis of its zoning, use or whether or not it is vacant land (or a combination of these factors) and apply a differential rate to each.

Comment:

The Shire of Murchison considers the key values of objectivity, fairness, consistency, transparency and administrative efficiency, when setting rates each year.

All land in the Shire of Murchison is rated according to its unimproved value and historically the Shire of Murchison has adopted the rating practice of differentiating between lands used for pastoral purposes, mineral exploration or mining. Council rates all properties used for the same purpose in the same way and aligns its annual rates with the rates strategy in the Corporate Business Plan/Long Term Financial Plan, as long as economic factors align with predictions.

It is important that Council considers rate strategies in neighbouring Shires as part of its deliberations. The table below shows rating information (rate in the \$) for the Shires of Shark Bay, Mount Magnet, Upper Gascoyne and Cue compared to the Shire of Murchison for the 2017/18 financial year.

| Rate Type | Murchison | Shark Bay | Mount Magnet | Upper Gascoyne | Cue |
|----------------------|-----------|-----------|--------------|----------------|----------|
| General Rates | | | | | |
| UV Pastoral | 0.028577 | 0.133037 | 0.068969 | 0.037400 | 0.08430 |
| UV Mining | 0.294002 | 0.264952 | 0.322245 | 0.139300 | 0.316000 |
| UV Exploration | 0.072124 | 0.254752 | 0.322245 | 0.139300 | 0.316000 |
| Minimum Rates | | | | | |
| UV Pastoral | 277 | 860 | 425 | 200 | 451 |
| UV Mining | 419 | 860 | 482 | 420 | 440 |
| UV Exploration | 419 | 860 | 482 | 420 | 440 |

Council is satisfied that the services and facilities it provides are managed efficiently and effectively and that it is appropriate to rate differentially in order to meet the budget deficiency. As part of its drive to ensure efficiency and transparency within the organisation, Council recently completed its review of the 2017-18 budget to ensure income and expenditure targets will be met for the 2017/18 year. Also, it recently reviewed the appropriateness and effectiveness of its risk management, internal control and legislative compliance as required under Local Government (Audit) Regulations 1996 and reviews the appropriateness and effectiveness of the financial management systems and procedures of the Shire as per regulation 5 (2) (c) of the Local Government (Financial Management) Regulations 1996.

The Corporate Business Plan and Long Term Financial Plan have been based on an assumption that rates will increase by 5% every year. The recommendation for 2017-18 was for a 5% increase but in the prior two years a 5% increase was not achieved and in fact no increase was implemented in 2016-17. The recommendation for 2018-19 is that the overall increase of 5% is the target but that the emphasis on recovery is reallocated between the three categories of differential rates to more accurately reflect the objects and reasons closely associated with the strategic objectives of the Shire.

The recommendation is that the Mining rates will increase by 3.21% and the balance taken up by increasing both Pastoral and Exploration rates by around 9%. This aligns the Shire of Murchison rate in the \$ with its neighbours noting that the rate in the \$ for both categories was considerably below comparative shires in the region.

If Council decides to continue to rate on a differential basis in 2018-19, then the objects and reasons for imposing each differential rate is to be set out by the local government in a publicly available document and local public notice is required to be given of its intention to impose differential rates, giving details of each rate or minimum payment and inviting submissions within 21 days of the notice. If there are less than 30 ratepayers in a sector, then each rate payer is to be written to individually, inviting submissions.

Any submissions received will be considered at the May 2018 Ordinary Council Meeting, before making the final decision regarding the imposition of the rate or minimum payment, with or without modification. This year, as in the past, the proposed differential rates for mining and exploration will be more than twice the lowest differential rate (pastoral) and Ministerial approval will be required before the rates can be imposed as part of the 2018-19 budget.

Statutory Environment:

Local Government Act 1995

3.18 Performing Executive Functions

3) (c) A local government is to satisfy itself that services and facilities that it provides are managed efficiently and effectively.

6.2 Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

* Absolute majority required.

6.33 Differential General Rates

(1) and (2) A local government can impose differential general rates according to the purpose for which the land is zoned, the purpose for which the land is held or used, whether or not the land is vacant or any other characteristic as prescribed by the Regulations.

(3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential rate which is more than twice the lowest differential rate imposed by it.

6.35 Minimum Payments

(6) A local government can impose a minimum rate separately to each differential rating category where a differential general rate is imposed.

6.36 Local government to give notice of certain rates

(1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.

(2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).

(3) A notice referred to in subsection (1) —

(a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency; and

(b) is to contain —

(i) details of each rate or minimum payment the local government intends to impose; and

(ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and

(iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed; and

(c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.

Local Government (Financial Management) Regulations 1996

5 CEO's duties as to financial management

2) The CEO is to —

(c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.

Strategic Implications:

The Corporate Business Plan 2016-2020 allows for an average 5% rate increase each year. This is based on the estimated budget deficiency and has been set to help fund community services and amenities as outlined in the plan.

Sustainability Implications

- **Environmental:**
There are no known significant environmental considerations
- **Economic:**
There are no known significant economic considerations
- **Social:**
There are no known significant social considerations

Policy Implications:

Nil

Financial Implications:

Proposed differential rates are set to meet the estimated budget deficiency in the 2018/19 financial year.

Consultation:

N/A

Recommendation:

That Council:

1. seeks Ministerial approval for the proposed differential rates and minimum rates for the 2018/19 Financial Year as shown in the following table:

| RATE TYPE | 2017-18 | | 2018-19 | | | |
|-----------------------------|------------|------------------------|-------------|-------------------|------------|------------------|
| | RATE IN \$ | BUDGETED TOTAL REVENUE | NO OF PROPS | RATEABLE VALUE \$ | RATE IN \$ | REVENUE |
| Differential Rate UV | | | | | | |
| Pastoral | 0.02857 | 41,668 | 23 | 1,459,657 | 0.0312 | 45,541 |
| Mining | 0.29400 | 333,876 | 9 | 1,172,054 | 0.2940 | 344,584 |
| Exploration/Prospecting | 0.07212 | 20,763 | 20 | 295,775 | 0.07675 | 22,701 |
| Minimum Rates | | | | | | |
| Pastoral | 277 | 1,108 | 6 | 13,263 | 291 | 1,746 |
| Mining | 419 | - | 0 | 0 | 440 | |
| Exploration/Prospecting | 419 | 3,352 | 13 | 37,330 | 440 | 5,720 |
| | | 400,767 | | 2,978,079 | | \$420,292 |

2. endorses the giving of local public notice of the proposed differential rates for 2018-19 to be advertised for a period of 21 days 6.35(6)(c).
3. decides that payment of rates charges may be made in a single payment or by four instalments at dates to be set as part of the budget adoption; and
4. decides that an administration fee of \$15 will apply to the instalment option and an 8% penalty interest will apply to late payments; and
5. notes that the ESL Levy and interest will be charged in accordance with instructions from DFES; and
6. adopts the following Objects of and Reasons for Differential Rates:

Objects of and Reasons for Proposed Differential Rates and Minimum Payments for the 2017-18 Financial Year

Overall Objective

The purpose of levying rates is to meet a local governments' budget deficiency in each financial year in order to deliver services and facilities as detailed in the Strategic Community Plan and Corporate Business Plan.

The Shire of Murchison is in a unique position of being the only shire without a town, therefore having no residential, commercial or industrial rate base to draw upon. It does, however, have an important responsibility for the maintenance of a vast network of inland roads, as well as providing support for travellers and locals through the provision of fuel services, a caravan park, recreational services, power, water and an aerodrome.

Historically, the Shire of Murchison has imposed differential rates on the basis of whether land is used for pastoral purposes, mineral exploration or mining, as it considers that this is more equitable than a flat rate, drawing more revenue from those enterprises that may cause degeneration of infrastructure through higher use.

Reasons

Council is satisfied that the services and facilities it provides are managed efficiently and effectively and that it is appropriate to rate differentially in order to meet the budget deficiency.

As part of its drive to ensure efficiency and transparency within the organisation, Council recently completed its review of the 2017-18 budget to ensure income and expenditure targets will be met for the 2017-18 year. Also, it recently reviewed the appropriateness and effectiveness of its risk management, internal control and legislative compliance as required under Local Government (Audit) Regulations 1996 and reviews the appropriateness and effectiveness of the financial management systems and procedures of the Shire as per regulation 5 (2) (c) of the Local Government (Financial Management) Regulations 1996.

For consistency, Council has ensured that properties that are used for the same purpose are rated in the same way and has considered the rates charged by neighbouring councils in its deliberations. The rates in the \$ for both Pastoral UV and Exploration UV are currently well below that of most surrounding Shires and it is proposed to increase them at a higher rate this year than Mining UV.

It should be noted that while the revenue has increased by around 16-17% for the Pastoral and Exploration categories, the proportion of total rates paid by each sector has not varied significantly.

| Rating category | Budget 2017-18 | % of total | Budget 2018-19 | % of total |
|--------------------|----------------|------------|----------------|------------|
| Pastoral UV | 42,776 | 10.7 | 50,426 | 11.3 |
| Mining UV | 333,876 | 83.3 | 342,077 | 82.0 |
| Exploration | 24,115 | 6.0 | 28,020 | 6.8 |
| Total rates budget | 400,767 | 100 | 420,523 | 100 |

The Shire of Murchison’s reasons for differentially rating according to land use are shown below:

UV – Pastoral

Pastoral UV applies to any land that currently has a pastoral lease granted. While recognising reduced viability caused by many years of droughts and floods and the devastation caused by the wild dog problem this category is rated to reflect the infrastructure maintenance cost to the Council as well as increased operational costs to address issues such as vermin control, fire mitigation and enhanced accessibility to pastoral properties. It also recognises the long term commitment of pastoralists to the region and their stewardship of Crown Land. Further, an annual biosecurity rate is linked to the valuations provided by the Valuer General. This biosecurity rate is payable by the pastoral sector only, even though the mining/exploration sectors pose a significant biosecurity risk.

UV – Mining

Mining UV applies to land for which a mining lease has been granted. The mining sector tends to be transitory in nature and benefits from established Shire services and infrastructure which is maintained in the long term by those rate payers who are established long term in the region. The purpose of setting the UV - Mining rate at a higher level than the benchmark UV – Pastoral is to ensure that the mining sector’s contribution towards the maintenance of that infrastructure is proportionate to the advantage it gains.

UV – Exploration/Prospecting

Exploration/Prospecting UV applies to land for which an exploration/prospecting lease has been granted. As with the UV – Mining sector, the UV - Exploration/Prospecting sector tends to be transitory and the category has been rated to reflect that exploration lease holders are significant beneficiaries of established Shire services and infrastructure and is also in recognition of the future benefits that accrue to exploration lease holders though they contribute very little or no enterprise to the community.

Voting Requirements:

Absolute Majority

| | | |
|--------------------------|------------------|-----------------|
| Council Decision: | | |
| Moved: | Seconded: | |
| Carried/Lost | For: | Against: |

16.4 2017/18 Budget Variation – WANDRRA AGRN 781

| | |
|--------------------|--|
| File: | 2.4 |
| Author: | Peter Dittrich – Chief Executive Officer |
| Interest Declared: | Nil |
| Date: | 20 th April 2018 |
| Attachments: | Nil |

Matter for Consideration:

Council to consider a budget amendment for the expenditure of funds to repair the damage caused by ex Tropical Cyclone Joyce.

Background:

In January 2018, widespread flooding impacted on vast areas of WA, Following ex Tropical Cyclone Joyce. The event was proclaimed an eligible disaster under the WA Natural Disaster Relief and Recovery Arrangements (WANDRRA) and so funding was made available to provide immediate emergency assistance and to repair or replace essential public assets. WANDRRA is jointly funded by the State and Commonwealth Governments and administered by the Office of Emergency Management and Main Roads WA.

Comment:

The damage estimates have been approved for funding by WANDRRA. The approved amount is \$15,336,954.32. Council has previously approved the establishment of a finance facility to finance the cash flows between contractor payments and WANDRRA repayment.

Statutory Environment:

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

Policy Implications:

Nil

Budget/ Financial Implications:

The funds expended in relation to the repair of the damage caused by ex Tropical Cyclone Joyce will be reimbursed by WANDRRA.

Sustainability Implications:

- **Environmental**
There are no known significant environmental implications associated with this decision
- **Economic**
There are no known significant economic implications associated with this decision
- **Social**
There are no known significant social considerations associated with this decision

Consultation:

Chief Executive Officer
Works Supervisor
Main Roads

Recommendation:

That council authorise expenditure of \$15,336,954.32 from Job Flood5 (GL 12225) for the repair of damage caused by ex Tropical Cyclone Joyce together with matching revenue for WANDDDRA reimbursement to GL 12219.

Voting Requirements:

Absolute Majority

| | | |
|--------------------------|------------------|-----------------|
| Council Decision: | | |
| Moved: | Seconded: | |
| Carried/Lost | For: | Against: |

17. DEVELOPMENT

17.1 Amendment to Tender Selection Criteria for Flood Damage Works

| | |
|--------------------|--|
| File: | 4.53 |
| Author: | Peter Dittrich – Chief Executive Officer |
| Interest Declared: | No interest to disclose |
| Date: | 20 April 2018 |
| Attachments: | |

Matter for Consideration:

Council to consider: the amendment of the selection criteria to reflect local content in the Assessment Criteria for Flood Damage Works AGRN 781 Tender for Supply of Plant & Operators for Road Flood Damage Repairs.

Background:

In January 2018, widespread flooding impacted on vast areas of WA, Following ex Tropical Cyclone Joyce. The event was proclaimed an eligible disaster under the WA Natural Disaster Relief and Recovery Arrangements (WANDRRA) and so funding was made available to provide immediate emergency assistance and to repair or replace essential public assets. WANDRRA is jointly funded by the State and Commonwealth Governments and administered by the Office of Emergency Management and Main Roads WA.

At the Ordinary Council Meeting of February 2018, Council set the selection criteria for the above mentioned tender.

Comment:

It is suggest that Council amend the selection criteria as per the recommendation to reflect the importance to potential Tenderer's of including local content in the tender.

Statutory Environment:

Local Government Act 1995

3.57. Tenders for providing goods or services

(1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

(2) Regulations may make provision about tenders.

Local Government (Functions and General) Regulations 1996

Division 2 – Tenders for Providing Goods and Services (s.3.57)

11. When tenders have to be publicly invited

(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.

(2) Tenders do not have to be publicly invited according to the requirements of this Division if —

- the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or
- the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or

[(ba) deleted]

(c) within the last 6 months —

- the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or
- the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer; or

- (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or
- (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or
- (ea) the goods or services are to be supplied —
 - (i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and
 - (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;
- or
- (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or
- (g) the goods to be supplied under the contract are —
 - (i) petrol or oil; or
 - (ii) any other liquid, or any gas, used for internal combustion engines;
- or
- (h) the following apply —
 - (i) the goods or services are to be supplied by a person registered on the Aboriginal Business Directory WA published by the Small Business Development Corporation established under the Small Business Development Corporation Act 1983; and
 - (ii) the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and
 - (iii) the local government is satisfied that the contract represents value for money;
- or
- (i) the goods or services are to be supplied by an Australian Disability Enterprise; or
- (j) the contract is a renewal or extension of the term of a contract (the original contract) where —
 - (i) the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and
 - (ii) the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and
 - (iii) the original contract contains an option to renew or extend its term; and
 - (iv) the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised; or
- (k) the goods or services are to be supplied by a pre-qualified supplier under Division 3.

12. *Anti-avoidance provision for r. 11(1)*

- (1) *This regulation applies if a local government intends to enter into 2 or more contracts (the contracts) in circumstances such that the desire to avoid the requirements of regulation 11(1) is a significant reason for not dealing with the matter in a single contract.*
- (2) *If this regulation applies, tenders are to be publicly invited according to the requirements of this Division before the local government enters into any of the contracts regardless of the consideration.*

[Regulation 12 inserted in Gazette 18 Sep 2015 p. 3806.]

13. *Requirements when local government invites tenders though not required to do so*

If a local government, although not required by this Division to invite tenders before entering into a contract for another person to supply goods or services, decides to invite tenders, the tenders are to be publicly invited according to the requirements of this Division.

[Regulation 13 amended in Gazette 2 Feb 2007 p. 245-6.]

14. *Publicly inviting tenders, requirements for*

(1) *When regulation 11(1), 12(2) or 13 requires tenders to be publicly invited, State-wide public notice of the invitation is to be given.*

(2) *If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving State-wide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.*

(2a) *If a local government —*

(a) is required to invite a tender; or

(b) not being required to invite a tender, decides to invite a tender,

the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

Strategic Implications:

Objective 4 of the Strategic Community Plans calls for the provision of good governance to the Murchison Shire through...high levels of accountability.....compliance with statutory requirements.

Policy Implications:

The Shire of Murchison Purchasing Policy and Buy Local – Regional Price Preference Policy refer.

Financial Implications:

Flood damage expenditure an estimated \$15,336,954.32 will need to be authorised by Council prior to the works commencing.

Consultation:

Main Roads Geraldton

Works Supervisor

Greenfields Technical services

Recommendation (4 points):

1. That Council includes the following assessment criteria and weightings in the Tender for the Supply of Plant & Operators for Road Flood Damage Repairs (WANDRRA AGRN 781):

COMPLIANCE CRITERIA

Tenders will be assessed for compliance with the requirements of the conditions of Tender and any Contract Requirements, including responses shown in the Tender Schedules. Compliant tenders will proceed for further assessments as follows:

Comparative Price Assessment

The comparative price for each tender will be calculated by applying applicable regional price preference imposts.

Qualitative Assessments

The tender is called under the local government (Functions & General) Regulations 1996. The prime consideration in the evaluation of received tenders is to establish the tender that clearly demonstrates an understanding of the tasks required under the tender and in the Shire's opinion represents the best value for money.

The Qualitative Assessment component of the assessment process is designed to take into account those aspects of the Tender that do not readily translate into absolute dollar values, but do however have socio-economic benefits in accordance with the table below.

The criteria on which tenders will be assessed, the maximum weighted score for each criteria and the scoring methodology is as follows:

| | |
|---|--|
| <p>A. Organisational Experience and Capacity</p> <p>Tenderers must address the following information in an attachment and label it “Organisational Experience and Capacity”:</p> <ul style="list-style-type: none"> - Details of similar work previously undertaken including reference to dates, value of works and time taken to complete and evidence of having achieved outcomes. - Reference sheet or list of relevant previously completed projects. - Provide referees who can substantiate previous experience and demonstrated capability of the organisation. - Demonstrated capacity of organisation to resource the work i.e. current workload vs forecast workload including this contract. - A project schedule / timeline identifying resources and timeframes to be allocated to each road nominated within the Damage Repair Listing (refer Attachment C) | <p>Weighting</p> <p>< 20% ></p> <p>Tick if attached</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> |
| <p>B. Road Construction Experience in Rural and Remote Areas</p> <p>Tenderers must address the following information in an attachment and label it “Road Construction Experience in Rural and Remote Areas”:</p> <ul style="list-style-type: none"> - Nominate specific examples in previous projects reference sheet. - Include reference to previous experience operating mobile camps. - Provide details of Organisations Occupational, Health and Safety record and systems with particular relevance to works in rural and remote areas | <p>Weighting</p> <p>< 20% ></p> <p>Tick if attached</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> |
| <p>c. Key Personnel Experience and Overall Capacity</p> <p>Tenderers must address the following information in an attachment and label it “Key Personnel Experience and Overall Capacity”:</p> <ul style="list-style-type: none"> - Provide details of past experience of key staff including Supervisory, Administrative and operators of key items of plant (e.g. grader, dozer, field mechanic). - Provide CV’s or as a minimum, employment history (including reference to projects worked on and roles undertaken), years of experience and qualifications or relevant memberships for key personnel. - Provide referees who can substantiate previous experience and demonstrated capability of key personnel. | <p>Weighting</p> <p>< 20% ></p> <p>Tick if attached</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> |

| | |
|--|--|
| <ul style="list-style-type: none"> - Provide specific reference to and past experience of nominated administrative staff who will be responsible for maintaining daily plant, labour and works progress records in close liaison with the Superintendents Site Supervisor as well as reconciling those records against Summary sheets and Contractors Invoicing. - Include reference to the organisations capacity to provide back-up resources for key personnel should the need arise. | <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> |
| <p>D. Extent and Condition of Road Construction Plant & Mechanical Support</p> <p>Tenderers must address the following information in an attachment and label it “Extent and Condition of Road Construction Plant & Mechanical Support”:</p> <ul style="list-style-type: none"> - Identify total numbers of each type of plant available for this project for assessment against the nominated list and numbers within the Tender schedule. - Nominate age or hours of each item of plant or some indication of condition or reliability. - Specifically detail the items of mechanical support and refueling equipment available for this project. - Identify any particular items of plant or attachments which are considered to have special or advantageous application to the works and locations identified within this tender. | <p style="text-align: center;">Weighting</p> <p style="text-align: center;">< 20% ></p> <p style="text-align: center;">Tick if attached</p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> |
| <p>E. Local Content Resources</p> <p>Tenderers must address the following information by completing the attachment labelled “Attachment C – Local Content Resources”:</p> <ul style="list-style-type: none"> - Provide details of the tenderer’s nominated local content resources including but not limited to plant, equipment, people and other supplies. Details must include the name of the local business supplying the resources, the items that will be supplied, value of the items and duration that the items will be supplied for. - Provide details of any back-up local content resources that the tenderer will provide if the nominated local content resources are unavailable for any reason. | <p style="text-align: center;">Weighting</p> <p style="text-align: center;">< 20% ></p> <p style="text-align: center;">Tick if attached</p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> |

Local Content Provisions:

- For the purpose of tender evaluation, tenderers will be scored relative to one another with respect to the “Local Content Resources – 20%” criteria.
- Additionally, there will be a provisional sum within the price schedule that will only be payable to the successful tenderer if they deliver in full on their local content as per their tender submission. Evidence will be required which may include proof of payment to subcontractors. Provisional sum amount – To be determined.

Value for Money Assessment

The Principal reserves the right to take into consideration any feature of a tender that provides a benefit to the Shire of Murchison and the community. Any additional features will be evaluated in accordance with the value-for-money assessment process outlined below:

In formulating the recommendation for any acceptance of any Tender, value for money will be assessed by:

- a) Identifying the lowest Comparative Price Tender (this tender then becomes the Benchmark for the value-for money assessment);
- b) If the next highest priced Comparative Price Tender has a higher Qualitative Assessment Score than the benchmark, identifying the additional benefits (if any) offered and assessing if the additional benefit is worth the additional price;
- c) Repeating Step b) with the remaining tenders;
- d) Determining which of the remaining Tenders, if any, offers the best value-for-money.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

Voting Requirements:

Simple majority

| | | |
|--------------------------|-------------|-----------------------------|
| Council Decision: | | |
| Moved: Councillor | | Seconded: Councillor |
| Carried/Lost | For: | Against: |

17.2 Amendment of Tender Criteria – Conversion of Beringarra Cue Road

| | |
|--------------------|--|
| File: | 4.52 |
| Author: | Peter Dittrich – Chief Executive Officer |
| Interest Declared: | No interest to disclose |
| Date: | 20 April 2018 |
| Attachments: | |

Matter for Consideration:

Council to consider the amendment of the selection criteria for the tender for the Supply of Plant & Operators for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel

Background:

At the Ordinary Meeting of Council on July 2017 Council set the selection criteria for the Supply of Plant & Operators for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel.

Comment:

It is suggest that Council amend the selection criteria as per the recommendation to reflect the importance to potential Tenderer’s of including local content in the tender.

Statutory Environment:

Local Government Act 1995

3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

- (2) Regulations may make provision about tenders.

Local Government (Functions and General) Regulations 1996

Division 2 – Tenders for Providing Goods and Services (s.3.57)

11. When tenders have to be publicly invited

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
 - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or

- (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or
- [(ba) deleted]
- (c) within the last 6 months —
 - (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or
 - (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer; or
- (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or
- (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or
- (ea) the goods or services are to be supplied —
 - (i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and
 - (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;

or
- (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or
- (g) the goods to be supplied under the contract are —
 - (i) petrol or oil; or
 - (ii) any other liquid, or any gas, used for internal combustion engines;

or
- (h) the following apply —
 - (i) the goods or services are to be supplied by a person registered on the Aboriginal Business Directory WA published by the Small Business Development Corporation established under the Small Business Development Corporation Act 1983; and
 - (ii) the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and
 - (iii) the local government is satisfied that the contract represents value for money;

or
- (i) the goods or services are to be supplied by an Australian Disability Enterprise; or
- (j) the contract is a renewal or extension of the term of a contract (the original contract) where —
 - (i) the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and
 - (ii) the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and
 - (iii) the original contract contains an option to renew or extend its term; and
 - (iv) the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised; or
- (k) the goods or services are to be supplied by a pre-qualified supplier under Division 3.

12. *Anti-avoidance provision for r. 11(1)*

- (1) *This regulation applies if a local government intends to enter into 2 or more contracts (the contracts) in circumstances such that the desire to avoid the requirements of regulation 11(1) is a significant reason for not dealing with the matter in a single contract.*
- (2) *If this regulation applies, tenders are to be publicly invited according to the requirements of this Division before the local government enters into any of the contracts regardless of the consideration.*

[Regulation 12 inserted in Gazette 18 Sep 2015 p. 3806.]

13. *Requirements when local government invites tenders though not required to do so*

If a local government, although not required by this Division to invite tenders before entering into a contract for another person to supply goods or services, decides to invite tenders, the tenders are to be publicly invited according to the requirements of this Division.

[Regulation 13 amended in Gazette 2 Feb 2007 p. 245-6.]

14. *Publicly inviting tenders, requirements for*

- (1) *When regulation 11(1), 12(2) or 13 requires tenders to be publicly invited, State-wide public notice of the invitation is to be given.*
- (2) *If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving State-wide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.*
- (2a) *If a local government —*
 - (a) *is required to invite a tender; or*
 - (b) *not being required to invite a tender, decides to invite a tender,*

the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

Strategic Implications:

Nil

Policy Implications:

Nil

Budget/ Financial Implications:

Council's decision in relation to the future of the Beringarra Cue Road will need to be taken into account in the preparation of the Strategic Resource Plan and future budgets.

Sustainability Implications:

- **Environmental**
There are no known significant environmental implications associated with this decision
- **Economic**
There are no known significant economic implications associated with this decision
- **Social**
There are no known significant social considerations associated with this decision

Consultation:

Brian Wundenberg – Works Supervisor
Plant Working Group

Recommendation:

1. That Council includes the following assessment criteria and weightings in the Tender for the Supply of Plant & Operators for the Conversion of the Sealed Section of the Beringarra Cue Road to Gravel:

COMPLIANCE CRITERIA

Tenders will be assessed for compliance with the requirements of the conditions of Tender and any Contract Requirements, including responses shown in the Tender Schedules. Compliant tenders will proceed for further assessments as follows:

Comparative Price Assessment

The comparative price for each tender will be calculated by applying applicable regional price preference imposts.

Qualitative Assessments

The tender is called under the local government (Functions & General) Regulations 1996. The prime consideration in the evaluation of received tenders is to establish the tender that clearly demonstrates an understanding of the tasks required under the tender and in the Shire's opinion represents the best value for money.

The Qualitative Assessment component of the assessment process is designed to take into account those aspects of the Tender that do not readily translate into absolute dollar values, but do however have socio-economic benefits in accordance with the table below.

The criteria on which tenders will be assessed, the maximum weighted score for each criteria and the scoring methodology is as follows:

| | |
|---|---|
| <p>A. Demonstrated Experience of the Tenderer's Key Management and Supervision Personnel</p> <p>Tenderers must address the following information in an attachment and label it "Attachment B - Demonstrated Experience of the Tenderer's Key Management and Supervision Personnel":</p> <ul style="list-style-type: none"> - Provide detailed employment history (including previous projects completed, roles undertaken, years of experience, and qualifications) for the tenderer's key management personnel who will be involved with this scope of work. - Provide detailed employment history (including projects worked on, roles undertaken, years of experience and qualifications) for tenderer's key field supervision personnel including at a minimum the nominated field supervisor (s) and the backup field supervisor. - Provide referees for all personnel referred to above who can substantiate previous experience and demonstrated capability of key personnel. | <p>Weighting</p> <p style="color: red;"><30% ></p> <p>Tick if attached</p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> |
| <p>B. Local Content Resources</p> <p>Tenderers must address the following information by completing the attachment labelled "Attachment C – Local Content Resources":</p> <ul style="list-style-type: none"> - Provide details of the tenderer's nominated local content resources including but not limited to plant, equipment, people and other supplies. Details must include the name of the local business supplying the resources, the items that will be supplied, value of the items and duration that the items will be supplied for. - Provide details of any back-up local content resources that the tenderer will provide if the nominated local content resources are unavailable for any reason. | <p>Weighting</p> <p style="color: red;"><20% ></p> <p>Tick if attached</p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> |

| | |
|--|--|
| <p>C. Demonstrated Experience of the Tenderer in Sealed and Unsealed Road Construction</p> <p>Tenderers must address the following information in an attachment and label it “Attachment A - Demonstrated Experience of the Tenderer in Sealed and Unsealed Road Construction”:</p> <ul style="list-style-type: none"> - Provide details of your organisation’s experience in unsealed and sealed road construction projects in rural and remote locations where your organisation was the prime contractor. Details should include the scope of the works, the value of the works, the time taken to complete the works and evidence of having achieved the project outcomes. - Provide referees who can substantiate the organisation’s previous experience and capabilities. - Provide referees who can substantiate the organisations’s previous experience and capabilities. | <p>Weighting <20% ></p> <p>Tick if attached</p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> |
| <p>D. Tenderer’s Capacity & Available Resources</p> <p>Tenderers must address the following information in an attachment and label it “Attachment D – Tenderer’s Capacity & Available Resources”:</p> <ul style="list-style-type: none"> - Provide details of the tenderer’s current work commitments including client, project name, scope of the tenderer’s involvement, project value, start date and forecast finish date. - Provide details of all resources that will be supplied to complete the scope of work - Provide details of the tenderer’s capacity to provide back-up resources for key personnel (management and supervision) and key plant and equipment should the need arise. - Provide a draft project programme / schedule for the works and demonstrate that the tenderer has sufficient capacity to resource the proposed programme with consideration for their existing commitments. | <p>Weighting <20% ></p> <p>Tick if attached</p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> |
| <p>E. Quality, Safety and Environment</p> <p>Tenderers must address the following information in an attachment and label it “Attachment E - Quality, Safety and Environment”:</p> <ul style="list-style-type: none"> - Provide details of how quality will be managed on this project and specifically how your organisation will meet or exceed the project’s quality requirements and specifications. This should include your quality management plan and any other details necessary to demonstrate sound quality management practices. - Provide details of tenderer’s Occupational, Health and Safety record and systems with particular relevance to works in rural and remote areas. This should include the tenderer’s occupational health and safety management plan and any other documentation necessary to demonstrate - Provide details of the tenderer’s environmental practices and procedures specifically related to ensuring compliance with all regulations. Details should include the tenderer’s environmental management plan where available. | <p>Weighting <10% ></p> <p>Tick if attached</p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> |

Local Content Provisions:

- For the purpose of tender evaluation, tenderers will be scored relative to one another with respect to the “Local Content Resources – 20%” criteria.
- Additionally, there will be a provisional sum within the price schedule that will only be payable to the successful tenderer if they deliver in full on their local content as per their tender submission. Evidence will be required which may include proof of payment to subcontractors. Provisional sum amount – To be determined.

Value for Money Assessment

The Principal reserves the right to take into consideration any feature of a tender that provides a benefit to the Shire of Murchison and the community. Any additional features will be evaluated in accordance with the value-for-money assessment process outlined below:

In formulating the recommendation for any acceptance of any Tender, value for money will be assessed by:

- e) Identifying the lowest Comparative Price Tender (this tender then becomes the Benchmark for the value-for money assessment);
- f) If the next highest priced Comparative Price Tender has a higher Qualitative Assessment Score than the benchmark, identifying the additional benefits (if any) offered and assessing if the additional benefit is worth the additional price;
- g) Repeating Step b) with the remaining tenders;
- h) Determining which of the remaining Tenders, if any, offers the best value-for-money.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

Voting Requirements:

Simple Majority

| | | |
|--------------------------|------------------|-----------------|
| Council Decision: | | |
| Moved: | Seconded: | |
| Carried/Lost | For: | Against: |

18. ADMINISTRATION

18.1 2018 Meeting Times

| | |
|--------------------|--|
| File: | 4.16 |
| Author: | Peter Dittrich - Chief Executive Officer |
| Interest Declared: | No interest to disclose |
| Date: | 23 April 2018 |
| Attachments: | Nil |

Matter for Consideration:

Council to consider changing the start time of Ordinary Council Meetings to 12 noon.

Background:

Council recently trialled the start time of the Ordinary Council Meeting as 12 Noon.

Comment:

The 12 noon start time has meant that the day’s program was as follows:

- 11:30 am Council Forum
- 12 midday Ordinary Council Meeting start
- 1 pm adjourn for lunch
- 2 pm re-convene meeting.

This later start time seems to have been generally well received.

Statutory Environment:

Regulation 12(1) of the Local Government (Administration) Regulations 1996 requires that:

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

Strategic Implications:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Consultation:

President R Foulkes-Taylor and Councillors

Recommendation:

That Council gives local public notice that the start time for the meetings to be held for the balance of the 2018 calendar year will be 12 Noon.

Voting Requirements:

Simple Majority

| | | |
|--------------------------|-----------------------------|-----------------|
| Council Decision: | | |
| Moved: Councillor | Seconded: Councillor | |
| Carried/Lost | For: | Against: |

19. NOTICE OF MOTION

Nil

20. CEO ACTIVITY REPORT

| Date | Activity |
|-------------|---|
| 19.03.2018 | Discuss plant revaluation with Auditor |
| 20.03.2018 | Murchison Sub-group RRG teleconference |
| 21.03.2018 | Discuss workers compensation claim with LGIS |
| 21.03.2018 | Discussions re supply of dog baits |
| 23.03.2018 | Discuss WANDRRA claim with Main Roads |
| 04.04.2018 | Discuss polocrosse requirements |
| 05.04.2018 | Discuss gravel access with CSIRO |
| 06.04.2018 | Discussion property owner re taking of water from station. |
| 06.04.2018 | Discuss requirement for additional units with Roadhouse |
| 10.04.2018 | LEMC Meeting |
| 10.04.2018 | Discussions re Beringarra-Cue Road with affected land owner |
| 12.04.2018 | LGIS Workers compensation Claim |
| 13.04.2018 | Inspection of point at which flood works crews extract water. |
| 16.04.2018 | Attendance at 2 day GEO –Tourism Workshop |
| 18.04.2018 | Discussions re reseal works |

Recommendation:

That the CEO’s Activity Report be accepted.

Voting Requirements:

Simple Majority

| | | |
|--------------------------|-----------------------------|-----------------|
| Council Decision: | | |
| Moved: Councillor | Seconded: Councillor | |
| Carried/Lost | For: | Against: |

21. URGENT BUSINESS

22. ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Discuss two items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. RFQ 2.5T Excavator and 2. Road Agreement – SKA Route

Motion to close the meeting to the Public

Recommendation:

That the meeting move behind closed doors to discuss two items pursuant to LGA s. 5.23 (2) (c) and (e) – 1. RFQ 2.5 T Excavator and 2. Road Agreement – SKA Route.

Voting Requirements:

Simple Majority

| | | |
|--------------------------|-----------------------------|-----------------|
| Council Decision: | | |
| Moved: Councillor | Seconded: Councillor | |
| Carried/Lost: | For: | Against: |

Motion to open the meeting to the Public

Recommendation:

That the meeting move out from behind closed doors.

Voting Requirements:

Simple Majority

| | | |
|--------------------------|-----------------------------|-----------------|
| Council Decision: | | |
| Moved: Councillor | Seconded: Councillor | |
| Carried/Lost: | For: | Against: |

22.1 RFQ 2.5T Excavator

| | | |
|--------------------------|-----------------------------|-----------------|
| Council Decision: | | |
| Moved: Councillor | Seconded: Councillor | |
| Carried/Lost: | For: | Against: |

22.2 Road Agreement – SKA Route

| | | |
|--------------------------|-----------------------------|-----------------|
| Council Decision: | | |
| Moved: Councillor | Seconded: Councillor | |
| Carried/Lost: | For: | Against: |

23. MEETING CLOSURE